

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE MERRILL LYNCH & CO., INC.  
SECURITIES, DERIVATIVE AND ERISA  
LITIGATION

:  
Master File No.:  
07cv9633 (LBS)(AJP)(DFE)

: **CLASS ACTION**

This Document Relates To:  
ERISA ACTION

:  
Case No.:  
07-CV-10268 (LBS)(AJP)(DFE)  
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**CERTIFICATE OF SERVICE**

I, Theresa Graham, hereby certify that I am over the age of 18, and am employed by the Law Firm of Cohen, Milstein, Hausfeld & Toll, P.L.L.C. On this 21<sup>st</sup> day of May, 2008, I served true and accurate copies of the Consolidated Amended Complaint (1) by hand upon Judges Sand, Eaton and Peck; and (2) via First Class mail, upon the following counsel of record:

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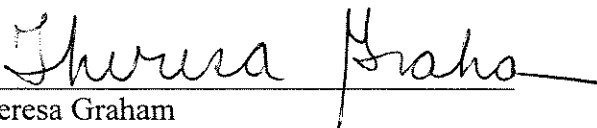
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*Representing Robert Garber*

  
Theresa Graham